

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Makoto ITAGAKI et al.

Application No.: 10/549,939

Confirmation No.:

Filed: September 16, 2005

Art Unit: N/A

For: OPTICALLY ACTIVE COPPER CATALYST
COMPOSITION

Examiner: Not Yet Assigned

COMMENTS ON REASONS FOR ALLOWANCE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Upon reviewing the Notice of Allowance with regard to the above-identified application, Applicants discovered that at page 3 thereof, the Examiner indicates that a search of the prior art failed to uncover a reference teaching the combination of a catalyst composition that "comprises a compound of formula (1) with the required Lewis Acids (c-2)."

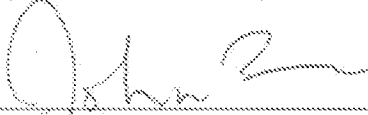
However, claim 1 clearly teaches a combination of component (a), (b) and (c-1) or (c-2). As such, the Examiner's statement at page 3 of the Notice of Allowability incorrectly states the scope of the fully claimed invention, which is patentable over the cited art applied by the Examiner.

Based upon the above, the Examiner is respectfully requested to issue a Supplemental Notice of Allowability correctly indicating the facts set forth above.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or to credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Dated: May 4, 2007

Respectfully submitted,

By 

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